

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In Re:  
FEIGE ZARETSKY

Case No.: 12-72963-reg  
Chapter 13

Debtor.  
-----X  
HAROLD ZARETSKY,

Plaintiffs.

Adv. Pro. No.: 14-08187-reg

-against-

FEIGE ZARETSKY,  
Defendant.  
-----X

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CLERK COURT  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF  
NEW YORK

**APPELLANT'S DESIGNATION OF ITEMS AND  
STATEMENT OF ISSUES ON APPEAL**

On November 12, 2015 a Notice of Appeal to the District Court was Filed by Feige Zaretsky from the order dated November 28, 2015. The undersigned appellant respectfully requests that the record on this appeal include the following items and issues (with exhibits attached thereto):

- 1) **(Dkt. No. 1)**, Notice of Removal. Filed & Entered: 06/27/2014
- 2) **(Dkt. No. 2)**, Notice of Pre-Trial Conference. Filed & Entered: 06/27/2014
- 3) **(Dkt. No. 14)**, Motion for Remand. Filed & Entered: 02/12/2015  
(Attachments: # 1 Motion, # 2 Proposed Order, # 3 Exhibit 1 - Prior Remand Application, # 4 Exhibit 2 - Dismissal Order, # 5 Exhibit 3 - Feige Zaretsky Letter).

- 4) (Dkt. No. 15), Defendant's Declaration in Opposition. Filed & Entered: 03/25/2015
- 5) (Dkt. No. 19), Final Order, By District Court. Filed & Entered: 08/06/2015
- 6) (Dkt. No. 20), Expedited Motion. Filed & Entered: 08/06/2015
- 7) (Dkt. No. 22), Order. Filed & Entered: 10/29/2015
- 8) (Dkt. No. 23), Notice of Appeal. Filed & Entered: 11/12/2015
- 9) (Dkt. No. 25), Transmittal to District Court. Filed & Entered: 11/13/2015
- 10) Docket Sheet.
- 11) (Dkt. No. 28), TRANSCRIPT OF 10/26/2015: FILED/ENTERED 12/3/2015

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#### STATEMENT OF ISSUES ON APPEAL

1. Did the Court err: by deeming an action to have been remanded to the state court when no order of remand has yet been issued;
2. in acting on a motion that was statutorily bared as untimely;
3. in deeming retroactively a marking off entry on the docket to act as an order without any order having been previously issued;
4. in holding that a main bankruptcy action dismissal acts as an automatic dismissal or as a remand of a related proceeding;

5. in marking off a proceeding without due process to the defendant, and subsequently deeming such process retroactively applicable;
6. in acting on an adversary proceeding without retaining specific jurisdiction in the main chapter 13 dismissal order, and without otherwise amending the dismissal order to retain jurisdiction;

RESPECTFULLY SUBMITTED

Dated: December 3, 2015



FEIGE ZARETSKY

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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-against-

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**CERTIFICATE OF SERVICE**

The undersigned Dora Berlin, a person over the age of eighteen, hereby declares and certifies as follows: That on December 4, 2015 I served a copy of the "Designation of Items and Issues" annexed hereto, by emailing to counsel, by depositing same in a sealed envelope postage paid for delivery by first class mail in an official depository of the United States Postal Service, within the State of New York. addressed to:

Brian J. Hufnagel Esq.,  
The Omni  
333 Earle Ovington Blvd, Suite 1010,  
Uniondale, New York, 11553

Dated: December 4, 2015  
Brooklyn, New York

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NEW YORK

  
Dora Berlin